

## Message Text

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ACTION EUR-12

INFO OCT-01 IO-10 ISO-00 CIAE-00 COME-00 EB-07 INR-07

LAB-04 NSAE-00 SIL-01 DODE-00 PM-03 H-01 L-02 NSC-05

PA-01 PRS-01 SP-02 SS-15 USIA-06 /078 W

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P R 101645Z FEB 75

FM AMEMBASSY MADRID

TO SECSTATE WASHDC PRIORITY 1031

INFO AMEMBASSY BONN

AMEMBASSY LISBON

AMEMBASSY LONDON

AMEMBASSY ROME

AMEMBASSY PARIS

AMEMBASSY THE HAGUE

AMEMBASSY STOCKHOLM

AMEMBASSY VIENNA

AMEMBASSY COPENHAGEN

AMEMBASSY OTTAWA

USEC BRUSSELS 1805

USMISSIONGENEVA 637

C O N F I D E N T I A L MADRID 931

E.O. 11652: GDS

TAGS: ELAB, SP

SUBJ: "CARABANCHEL TEN" HEARING-AMERICAN OBSERVERS

REQUEST APPOINTMENT WITH AMBASSADOR

REF: MADRID 826

BEGIN SUMMARY: EMBASSY HAS RECEIVED CABLE FROM PRESIDENT  
OF NEW YORK CITY COUNCIL PAUL O'DWYER PRESIDENT IRON WORKERS  
UNION WILLIAM COLAVITO, AND LAWYER ERIC SCHMIDT, INFORMING  
EMBASSY THEY ATTENDING FEB 11 "CARABANCHEL TEN" HEARING AND  
REQUESTING INTERVIEW WITH AMBASSADOR TO DISCUSS CASE. CHARGE  
AND LABATT PLAN RECEIVE DELEGATION IN EMBASSY. OTHER  
DEVELOPMENTS IN CASE INCLUDE VARIOUS APPEALS FOR COMMU-  
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TATION OF SENTENCES, AN UNSUCCESSFUL EFFORT TO CONVOKE A

PRESS CONFERENCE, AND PLANS FOR ANOTHER ATTEMPT AT A PRESS CONFERENCE. EMBASSY WOULD APPRECIATE KNOWING WHETHER COLAVITO'S PRESENCE MAY REPRESENT POSSIBLE AFL-CIO OR AMERICAN LABOR MOVEMENT INTEREST IN CASE. END SUMMARY

1. EMBASSY HAS RECEIVED CABLE WITH FOLLOWING TEXT:

"PAUL O'DWYER, PRESIDENT CITY COUNCIL OF NEW YORK, WILLIAM COLAVITO, PRESIDENT IRON WORKERS UNION, ERIC SCHMIDT, U.S. COMMITTEE FOR DEMOCRATIC SPAIN, WILL ATTEND APPEAL OF CARABANCHEL 10 ON FEB 11. REQUEST APPOINTMENT WITH AMBASSADOR TO DISCUSS CASE."

2. WITH LABATT ALSO PRESENT, CHARGE PLANS RECEIVE ABOVE AT EMBASSY, ASSUMING THEY CONTACT WMBASSY, TO LISTEN TO THEIR PRESENTATION AND HAVE LABATT BRIEF THEM ON CASE IF THEY SO DESIRE.

3. ALTHOUGH SPANISH ORGANIZERS HAD HOPED RAMSEY CLARK, WHO ATTENDED "CARABANCHEL TEN" TRIAL IN DECEMBER 1973, WOULD ATTEND, THERE NO INDICATION SO FAR THAT HE WILL. OF THREE U.S. OBSERVERS, LAWYER ERIC SCHMIDT WAS ONLY PERSON WHO FORMED PART OF 4-MAN DELEGATION TO 1973 TRIAL, AT WHICH HE REPRESENTED U.S. NATIONAL LAWYERS GUILD.

4. ACCORDING BRITISH EMBOFF, BRITISH TUC HAS DECIDED AGAINST SENDING AN OBSERVER TO TRIAL, BUT INSTEAD IS SENDING A PROTEST CABLE TO PRIME MINISTER ARIAS WHICH ALSO APPEALS FOR RELEASE OF "CARABANCHEL TEN" FROM PRISON. BRITISH EMB BELIEVES IT LIKELY BRITISH LABOR PARTY WILL SEND OBSERVER, BUT DO NOT YET KNOW WHO, ALTHOUGH THEY SUSPECT THAT JENNY LITTLE, SECRETARY OF SPANISH DEMOCRATS DEFENSE COMMITTEE OF LABOR PARTY, WILL BE REP. ITALIAN EMBASSY CONFIRMS THAT ITALIAN UNITARY TRADE UNION DELEGATION, REPRESENTING CGIL-CISL-UIL HAS STARTED TO ARRIVE, AND NUMEROUS FRENCH OBSERVERS INCLUDING SOMEONE FROM CGT, ALSO CONSIDERED LIKELY TO ATTEND. THERE ARE UNCONFIRMED RUMORS THAT REPS MAY ATTEND FROM WFTU, AND PERHAPS EVEN FROM ICFTU (WHICH REFRAINED FROM SENDING OBSERVER TO 1973 TRIAL). AMNESTY INTERNATIONAL ALXCA CONSIDERED CERTAIN TO HAVE ONE OR MORE OBSERVERS PRESENT. CONFIDENTIAL

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5. IN OTHER DEVELOPMENTS RE TOMORROW'S "CARABANCHEL TEN" APPEALS HEARING, LABATT HAS LEARNED (A) A PETITION HAS BEEN SENT TO PRIME MINISTER ARIAS APPEALING FOR A SUBSTANTIAL COMMUTATION OF SENTENCES, WHICH APPEAL HAS BEEN SIGNED BY A BROAD CROSS SECTION OF SPANISH LEGAL PROFESSION, INCLUDING SUCH "ESTABLISHMENT" FIGURES AS GARRIGUES WALKER BROTHERS, (B) ANOTHER APPEAL HAS BEEN SENT TO PRIME

MINISTER ARIAS SIGNED BY LEADERS IN GOVT-CONTROLLED SPANISH SYNDICAL ORGANIZATION (SSO) APPEALING FOR OPPOSITE, I.E., THAT NO SANCTION BE MADE IN CURRENT 12-20 YEAR SENTENCES BEING SERVED BY "CARABANCHEL TEN"; (C) AN ATTEMPT BY DEFENSE LAWYERS TO HOLD PRESS CONFERENCE AT BAR ASSOCIATION ON FEB 8 WAS BLOCKED BY POLICE; (D) ANOTHER EFFORT TO HOLD A PRESS CONFERENCE OVER CASE WILL BE ATTEMPTED AT SOME POINT BETWEEN FEB 11 AND DATE THE SUPREME COURT ANNOUNCES ITS VERDICT (EXPECTED 7-15 DAYS LATER).

6. ADDITIONALLY, SECURITY IS REPORTEDLY GOING TO BE TIGHT AROUND COURTHOUSE FEB 11, AND REPORTEDLY DRESS REHEARSALS OF DEPLOYMENT OF POLICE AND SECURITY FORCES IN VICINITY OF BUILDING HAVE TAKEN PLACE IN RECENT DAYS. ALSO CONGEN SEVILLE REPORTS THAT A CALL FOR A GENERAL STRIKE IN SEVILLE AREA HAS BEEN ISSUED FOR FEB 11 TO COINCIDE WITH "CARABANCHEL TEN" HEARING. REPORTEDLY, HOWEVER, NO SUCH SIMILAR APPEALS HAVE BEEN ISSUED FOR STRIKES IN EITHER MADRID OR AT

NATIONAL LEVEL.

7. COMMENT: GENERAL PROGNOSIS STILL SEEMS FAVOR A SUBSTANTIAL COMMUTATION OF "CARABANCHEL TEN" SENTENCES WHEN SUPREME COURT ANNOUNCES ITS VERDICT 7-15 DAYS HENCE. HOWEVER, MUCH WILL DEPEND ON CLIMATE BETWEEN NOW AND THEN, AND IT IS POSSIBLE THAT, WITH STRAINED LABOR AND UNIVERSITY SITUATIONS AND AN EVIDENT PREOCCUPATION OF GOVT WITH PUBLIC ORDER, CLIMATE COULD WORSEN AND GOVT MIGHT FEEL CONSTRAINED TO PRESS SUPREME COURT TO UPHOLD CURRENT 12-20 YEAR SENTENCES.

8. EMBASSY IS SURPRISED IRON WORKERS UNION PRESIDENT WILLIAM COLAVITO IS AMONG THREE U.S. OBSERVERS WHO WILL APPARENTLY ATTEND TRIAL. EMBASSY WOULD BE INTERESTED IN KNOWING CONFIDENTIAL

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IF ITS ASSUMPTION IS CORRECT THAT COLAVITO IS HERE REPRESENTING ONLY IRON WORKERS UNION, THAT HE DOES NOT SPEAK FOR AFL-CIO NOR FOR AMERICAN LABOR MOVEMENT, AND THAT THERE HAS BEEN NO CHANGE IN LATTER'S OPINION FROM THAT OF COMPLETED ASSOCIATION WITH CASE AT TIME OF 1973 TRIAL.

9. DESPITE PRESUMPTION COLAVITO WILL ONLY BE REPRESENTING HIS OWN UNION, SPANISH AND FOREIGN REPORTERS AT TRIAL WILL UNDOUBTEDLY JUMP TO CONCLUSION COLAVITO REPRESENTS AFL-CIO INTEREST IN CASE, WHICH WOULD BE UNFORTUNATE. PROPAGANDA SURROUNDING JAILED "CARABANCHEL TEN" (WHO CONSIST OF NINE COMMUNIST WORKER COMMISSIONS LEADER AND ONE PRIEST) AND THEIR APPEALS HEARING WILL PRIMARILY AGAIN BENEFIT SPANISH COMMUNIST PARTY (PCE) AND THE PCE-DOMINATED WORKERS

COMMISSIONS, AND LITTLE IS LIKELY TO REBOUND TO  
NON-COMMUNIST SPANISH OPPOSITION WHO, HOWEVER, AS IN THE  
1973 TRIAL, ARE AGAINST SUPPLYING SAME BROAD RANGE OF DEFENSE  
LAWYERS (INCLUDING LEADING CHRISTIAN DEMOCRATS RUIZ  
GIMENEZ AND GIL ROBXS).  
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